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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/355,436 10/25/99 LACE

J

1201.00022

WM02/0118

BLISS MCGLYNN
SUITE 600
2075 WEST BIG BEAVER ROAD
TROY MI 48084

EXAMINER

PHAM, T

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 01/18/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/355,436

Applicant(s)
Lace et al.

Examiner
TOAN PHAM

Group Art Unit
2632



☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 7, 10 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Wolfe et al. (5,357,182).

Regarding claims 1 and 7: Wolfe et al. discloses an anti-theft vehicle system for a vehicle wheel (12) having a rotational axis comprising a signal generator (108) to generate a first predetermined signal (122) around a first predetermined perimeter (112) and to generate a second predetermined signal (124) around a second predetermined perimeter (114) at least partially disposed within the first predetermined perimeter (col. 6, lines 48-59; Fig. 1A); at least one inhibitor disposed within the vehicle wheel (12) to selectively engage and disengage the vehicle wheel to resist and allow rotational movement of the vehicle wheel about the rotational axis; a rotatable structure disposed within the vehicle wheel and cooperating with said at least one inhibitor for moving said at least one inhibitor between an engaged position and a disengaged position with respect to the vehicle wheel (Figs. 2-3); and a receiver mounted within the vehicle wheel to receive the first predetermined signal and second predetermined signal to activate said

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rotatable structure to move said at least one inhibitor between said engaged position and said disengaged position (col. 7, lines 1-20).

Regarding claim 2: Wolfe et al. discloses a first buried wire cable (112) for transmitting the first predetermined signal (122) (col. 6, lines 18-59; Fig. 1A).

Regarding claim 3: Wolfe et al. discloses a second buried wire cable (114) for transmitting the second predetermined signal (124) (col. 6, lines 18-59; Fig. 1A).

Regarding claim 10: Wolfe et al. discloses the transmitting circuit (108) includes at least one antenna (112) of electrically conductive material to transmit the first predetermined signal (122) along and define the first predetermined spatial perimeter (col. 6, lines 48-59; Fig. 1A).

Regarding claim 14: Wolfe et al. discloses an anti-theft vehicle system for a vehicle comprising a transmitter (108) to generate a predetermined signal around a predetermined spatial perimeter; a plurality of antennas (112, 114) connected to said transmitter (108) to transmit the predetermined signal along and define the predetermined spatial perimeter; at least one vehicle wheel (12); at least one inhibitor disposed within the at least one vehicle wheel (12) to selectively engage and disengage the at least one vehicle wheel to resist and allow rotational movement of the at least one vehicle wheel; a rotatable structure disposed within the at least one vehicle wheel

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and cooperating with said at least one inhibitor for moving said at least one inhibitor between an engaged position and a disengaged position with respect to the at least one vehicle wheel (12) (Figs. 2-3); and a receiving circuit (30) disposed within the at least one vehicle wheel to receive the predetermined signal to activate said rotatable structure to move said at least one inhibitor between said engaged position and said disengaged position (col. 7, lines 1-20).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfe et al. (5,357,182).

Regarding claim 4: Wolfe et al. does not disclose the wire being shielded; however, shielded cable wires are well known and used in the art; thus, whether a shielded cable wire is being utilized for a particular application is merely one's preference for preventing signal loss or interference.

5. Claims 5, 6, 8, 9, 11-13 and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfe et al. (5,357,182) in view of Lace et al. (5,831,530).

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Regarding claim 5: Wolfe et al. does not disclose the signal generator comprising an amplifier and a potentiometer. Lace et al. discloses the signal generator includes an amplifier (202) and a potentiometer (206) for controlling the level of signal output by said amplifier (col. 8, lines 34-39; Fig. 10). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilized a signal amplifier and a potentiometer as taught by Lace et al. in a system as disclosed by Wolfe et al. for providing a controller for controlling the desired sensitivity level of signal output of the amplifier.

Regarding claim 6: Lace et al. discloses the first buried wire cable includes a plurality of branches connected to said amplifier (Fig. 10).

Regarding claim 8: Lace et al. discloses the transmitting circuit includes an oscillator (118) to create at least one carrier frequency (col. 6, lines 2-5).

Regarding claim 9: Lace et al. discloses the oscillator (118) creates the at least one carrier frequency at a frequency less than nine kilohertz (col. 6, lines 2-5).

Regarding claim 11: Lace et al. discloses the transmitting circuit includes a remotely transportable transmitter (132') for transmitting the second predetermined signal to move said at least one inhibitor between said engaged position and disengaged position (col. 6, lines 59-65).

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Regarding claim 12: Lace et al. discloses the transmitting circuit includes a low pass filter (120) to eliminate carrier harmonics of the predetermined signal (col. 6, lines 39-46).

Regarding claim 13: See claim 5 above.

Regarding claim 15: Lace et al. discloses the receiving circuit includes a resonant tank circuit (138) to eliminate reception by said receiving circuit of all frequencies other than frequencies of the predetermined signal (col. 7, lines 15-18).

Regarding claim 16: Lace et al. discloses the receiving circuit includes a detector electrically connected to said resonant tank circuit to receive the predetermined signal (col. 7, lines 46-50).

Regarding claim 17: Lace et al. discloses the receiving circuit includes a gain stage circuit electrically connected to said detector to amplify the predetermined signal after the predetermined signal has been received and detected (col. 7, lines 52-61).

Regarding claim 18: Lace et al. discloses the transmitter includes an amplifier (202) (col. 8, lines 33-36).

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Regarding claim 19: See claim 11 above.

Regarding claim 20: See claim 12 above.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art references of DiPaolo et al. (5,402,106), Schweninger (6,161,849), Lace (6,037,869), Durban et al. (6,127,927), French et al. (6,125,972), Schweninger (6,102,414), and Prather et al. (6,054,923) are cited to show a variety of shopping cart with theft disabling device.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051 or (703) 305-3988, (for formal communications intended for entry)

Or:

(703) 305-3988 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

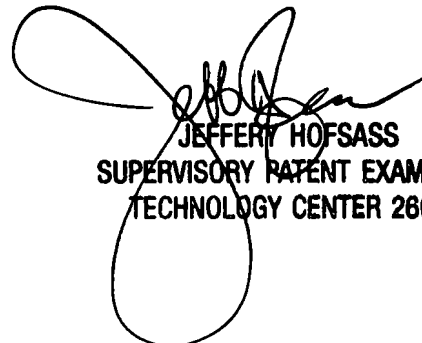
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

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8. Any inquiry concerning this communication should be directed to Examiner Toan Pham at telephone number (703) 306-3038. The examiner can normally be reached on Monday-Friday, 7:00am-5:00pm.

If attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Jeffery Hofsass, can be reached on (703) 305-4717.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700, Mon-Fri, 8:30am-5:00pm.



JEFFERY HOFSA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Examiner: Toan Pham

Date: January 12, 2001